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21 R. SHAH, MD, LTD.; and RADAR
22 MEDICAL GROUP, LLP dba UNIVERSITY
23 URGENT CARE

24 UNITED STATES DISTRICT COURT
25 DISTRICT OF NEVADA

26 ALLSTATE INSURANCE COMPANY,
27 ALLSTATE PROPERTY & CASUALTY
28 INSURANCE COMPANY, ALLSTATE
INDEMNITY COMPANY, and ALLSTATE
FIRE & CASUALTY INSURANCE
COMPANY,

29 Plaintiffs,

30 vs.

31 RUSSELL J. SHAH, M.D.; DIPTI R. SHAH,
32 M.D.; RUSSELL J. SHAH, MD, LTD.; DIPTI
33 R. SHAH, MD, LTD.; and RADAR MEDICAL
34 GROUP, LLP dba UNIVERSITY URGENT
35 CARE, Does 1-100, and ROES 101-200,

36 Defendants.

37 AND RELATED CLAIMS.

38 Case No. 2:15-cv-01786-APG-DJA

39 **STIPULATION AND ORDER TO
40 EXTEND DEADLINE TO FILE
41 DISPOSITIVE MOTIONS**

42 **(Nineteenth Request)**

1 Defendants and Counterclaimant Russell J. Shah, M.D., Dipti R. Shah M.D., Russell J. Shah,
 2 MD, Ltd., Dipti R. Shah, MD, Ltd., and Radar Medical Group, LLP d/b/a University Urgent Care
 3 (collectively, the “Radar Parties”) and Plaintiffs/Counterdefendants Allstate Insurance Company,
 4 Allstate Property & Casualty Insurance Company, Allstate Indemnity Company, and Allstate Fire &
 5 Casualty Insurance Company (collectively, the “Allstate Parties”), by and through their respective
 6 attorneys of record, stipulate and agree as follows:

7 1. On June 9, 2022, the Court entered an Order [ECF No. 435] approving a Stipulation
 8 [ECF No. 434] authorizing the Radar Parties to take the Fed. R. Civ. P. 30(b)(6) deposition of the
 9 Allstate Parties concerning the Counterclaims outside the close of discovery.

10 2. Following several telephonic meet and confers concerning the topics listed under the
 11 Fed. R. Civ. P. 30(b)(6) deposition notice (the “Notice”), the parties have agreed that certain prior
 12 testimony given by Carole LaDuke, in her individual capacity, on August 10, 2021, addresses the
 13 information sought by the Radar Parties through Topic No. 1 in the Notice. Accordingly, the parties
 14 will be submitting a stipulation and order identifying those portions of Ms. LaDuke’s testimony that
 15 will be binding upon the Allstate Parties as if Ms. LaDuke had appeared and testified in her capacity
 16 as a Fed. R. Civ. P. 30(b)(6) designee for the Allstate Parties in response to Topic No. 1.

17 3. Further, the Allstate Parties identified Aaron Patterson and Patricia Downs to appear
 18 as Fed. R. Civ. P. 30(b)(6) designees for the Allstate Parties to testify with respect to Topic Nos. 2-4
 19 in the Notice. Mr. Patterson’s deposition will proceed (via Zoom) on October 3, 2022, and Ms.
 20 Downs’ deposition will proceed (in person) on October 4, 2022.

21 4. On August 15, 2022, the Court entered an Order [ECF No. 443] granting the Radar
 22 Parties’ Motion to Compel the Allstate Parties’ Responses to Disputed Discovery Requests [ECF
 23 No. 430] (the “August 15, 2022 Order”). In so doing, the Court ordered the Allstate Parties to
 24 respond to Request No. 3 in the Radar Parties’ Seventh Set of Requests for Production of Documents
 25 and Interrogatory Nos. 14 and 15 in Radar Medical’s Second Set of Interrogatories.

26 5. On August 29, 2022, the Allstate Parties filed their Partial Objection to the August
 27 15, 2022 Order [ECF No. 444] (the “Partial Objection”). Specifically, the Allstate Parties objected
 28 to the portion of the August 15, 2022 Order compelling them to respond to Interrogatory No. 14.

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1 6. The Partial Objection remains pending; the Radar Parties presently have until
2 September 26, 2022, to file their Response to the Partial Objection.

3 7. Consistent with the August 15, 2022 Order, the Allstate Parties are in the process of
4 gathering and producing information responsive to Request No. 3 and Interrogatory No. 15.

5 8. Pursuant to Stipulation of the parties [ECF No. 441] and Order entered by the Court
6 [ECF No. 442], the parties presently have until October 10, 2022, to file dispositive motions.

7 9. Due to the number of issues and claimants involved in this case, the volume of
8 discovery that was completed (*see, e.g.*, Order [ECF No. 427] at 2:13-8:6), the outstanding 30(b)(6)
9 depositions of the Allstate Parties concerning the Counterclaims that are scheduled to proceed on
10 October 3-4, 2022, the anticipated upcoming production of information responsive to Request No. 3
11 and Interrogatory No. 15, and the pending Partial Objection, the outcome of which may require the
12 Allstate Parties to produce information responsive to Interrogatory No. 14, good cause exists to
13 extend the deadline for the parties to file dispositive motions until November 18, 2022 (which
14 corresponds with approximately 30 days after the parties will likely receive the transcripts from the
15 October 3-4, 2022 depositions of the Allstate Parties).

16 10. The parties do not anticipate any further extensions to the deadline to file dispositive
17 motions.

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11. This stipulation is made in good faith and not to delay the proceedings.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 19th day of September, 2022.

DATED this 19th day of September, 2022.

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

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IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

DATED: 9/20/2022